IN THE

Supreme Court of the United States

OCTOBER TERM, A. D. 1904.

No. 424.

UNION TRUST COMPANY and SECURITY WAREHOUSING COMPANY, vs. HENRY L. WILSON, Trustee in Bankruptcy of HARRY L. FLANDERS.	Certificate from the Circuit Court of Appeals for the Seventh Circuit.

To Messrs. Edwin Burritt Smith, George Packard, W. Tudor Apmadoc, and Vincent J. Walsh, Counsel for said Henry L. Wilson, Trustee, etc.

PLEASE TAKE NOTICE That on Monday, the 9th day of January, 1905, at twelve o'clock, noon, or as soon thereafter as counsel can be heard in the court-room in Washington, the Union Trust Company and Security Warehousing Company will move the court, as per printed motion and brief on motion herewith served upon you, and also file herein their brief upon

the merits, a copy of which is also herewith served upon you.

Respectfully,
CHARLES R. HOLDEN,
HENRY S. ROBBINS,
Counsel for Union Trust Company and Security Warehousing Company.

Received copy of above notice, and motion and brief on motion, and also copy of brief on the merits, this _____ day of December, A. D. 1904.

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Counsel for Henry L. Wilson, Trustee, etc.

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Motion and Brief in support thereof, of Union Trust Company and Security Warehousing Company, to Advance Cause for Submission on Printed Briefs, as Under Rules 32 and 6.

Now come the Union Trust Company and Security Warehousing Company, by Charles R. Holden and Henry S. Robbins, their counsel, and move this Honorable Court to advance the above cause for submission on printed briefs, as under rules 32 and 6 of this court, and for grounds of this motion show the following, to wit:

This cause comes to this court upon certificate of the

Circuit Court of Appeals of the Seventh Circuit, which desires the instruction of this court upon the questions:

(1) Whether certain receipts issued by the Security Warehousing Company, to one Flanders, for whom said Wilson is trustee in bankruptcy, and by Flanders pledged to the Union Trust Company as security for loans, are, under the facts recited in the certificate, valid warehouse receipts, so that such endorsement of them to the Union Trust Company constituted a pledge of the property therein described.

(2) Whether, if such receipts are not to be deemed valid as warehouse receipts, the facts recited constitute a pledge by Flanders to the Union Trust Company of the property in controversy.

(3) Whether, if no pledge arose, the transactions gave rise to an equitable lien in favor of the Union Trust Company, which is superior to the title of the trustee in bankruptcy.

Heretofore these moving parties presented to this court their motion to set this cause with case No. 139 upon the present docket of this court upon the ground that the same questions were involved in both cases, and they ought for that reason to be heard together. On the 28th day of November, 1904, this court denied that motion, without prejudice to a motion to advance the case for submission on printed briefs as under rules 32 and 6 of this court.

There has been served upon the counsel for said Henry L. Wilson, Trustee, a notice of this motion, copy hereof, and also a brief on behalf of said Union

Trust Company and Security Warehousing Company on the merits of said cause, more than three weeks before the submission of this motion, as will appear from the notice and acceptance of service thereof hereto attached.

Respectfully submitted,

CHARLES R. HOLDEN,

HENRY S. ROBBINS,

Counsel for Union Trust Company and Security Warehousing Company.